

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 530 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MOHANSINH NATHUBHAI

Versus

STATE OF GUJARAT

Appearance:

MS SUBHADRA G PATEL for Petitioner

MR SP DAVE, LD APP for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 08/05/97

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. S.P. Dave,
Ld. A.P.P. for the respondents.

2. Heard. The Government has rejected the petitioner's prayer for furlough on the ground that he was involved in Mangadh case and that his surety, though prepared to keep the prisoner with him, does not know the

sur-name of the prisoner as also has not gone to the prisoner's house in the past. As against this, it has been the case of the petitioner that in the past he was released on furlough and that he had surrendered in time on that occasion and no untoward incident had occurred. Hence, bearing in mind the facts of the case, following direction is issued :-

The petitioner shall be released on his two of the due furloughs on usual terms and conditions as also the conditions that might be imposed by the jail authority. Rule made absolute in the aforesaid terms.

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